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Laetitia Agricultural Cluster Subdivision




SUB2003-00001 / DRC2003-00001
Applicant: Janneck, Limited

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Presentation Outline

- Project Description and History
- Ordinance Compliance
- General Plan Consistency
- Environmental Issues – Shawna Scott (SWCA Environmental Consultants)
 - Water Resources – Gordon Thrupp (GeoSyntec)
- Alternatives Analysis
- Summary and Recommendation

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Original Project Description

- Tentative Tract Map and Conditional Use Permit to allow an agricultural cluster subdivision of twenty-one parcels (totaling 1,910 acres) into one hundred and two (102) residential lots and four (4) open space lots. The proposed project includes 102 1-acre residential lots, a homeowner's association facility, recreation center, and community center (ranch headquarters), 25 acres of internal access roads, and a wastewater treatment plant.

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Applicant Proposed Alternative 2

- Same essential components:
 - 102 residential lots
 - Same cluster formation
 - Four open space lots
 - Wastewater plant
 - Ranch headquarters
- Primary differences:
 - Shifting of some lots
 - Move/deletion of roads
 - Building height limits
 - Guardhouse
 - Elimination of equestrian center
 - Wastewater plant and HOA headquarters on specified lots

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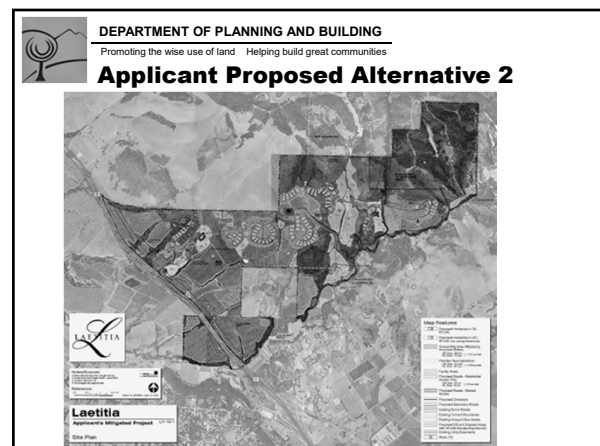
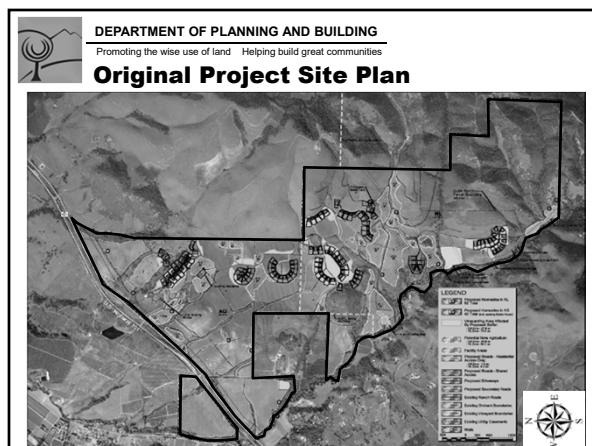
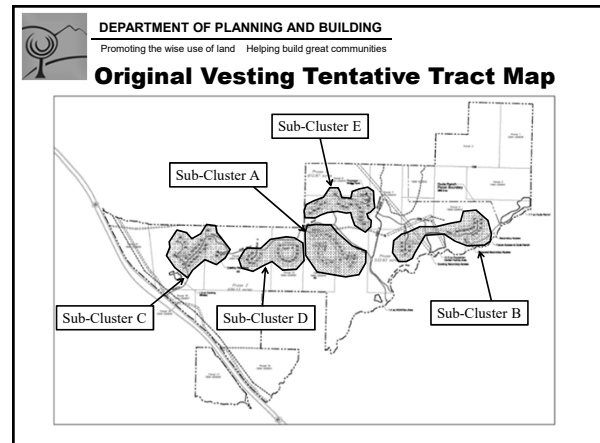
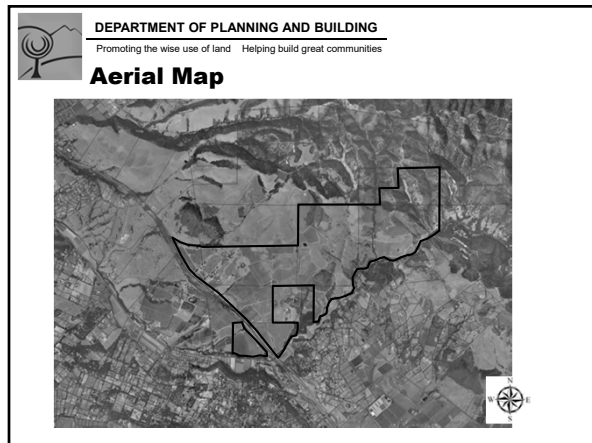
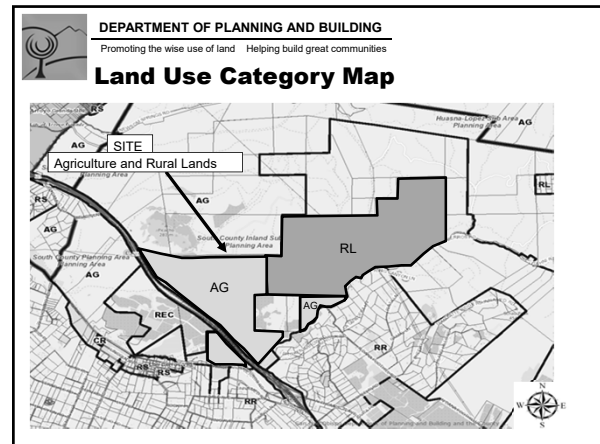
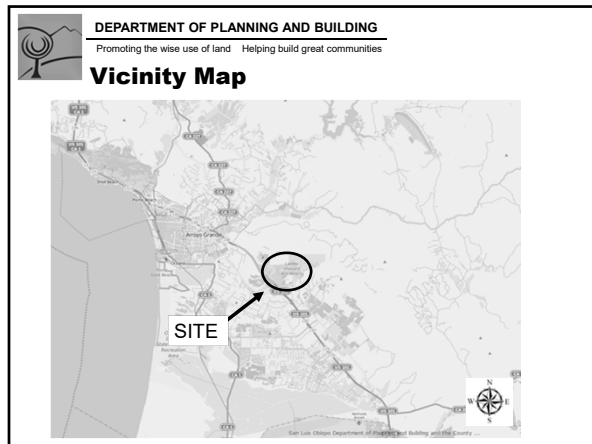
Project History


- 2003 – Applicant submits project
 - Project subject to 2003 Land Use Ordinance
- 2006 – Additional archaeology work completed
- 2007 – Project Revision – Wastewater
- 2008 – Draft EIR
 - Applicant proposes "Mitigated Project"
 - County receives significant comments
 - Additional water analysis needed

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Project History

- 2009/10 – Peer review and additional well testing
- 2012 – Recirculated Draft EIR
- 2013 – 2nd Recirculated Draft EIR
- 2015 – Final EIR and Planning Commission





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Ordinance Compliance


What is an Agricultural Cluster Subdivision?

- An optional land use/subdivision tool allowed in Agriculture and Rural Lands based on the Agricultural Subdivision Standards.

How is density calculated?

I. Allowed number of parcels and residential density:

- Number of parcels.** The number of parcels allowed in an agricultural cluster division shall be equivalent to the number of dwellings normally allowed in the Agriculture land use category in compliance with Sections 22.22.040 (Parcel Size - Agriculture Category) and 22.30.420.A (Residential Uses in the Agriculture Category); except that where Section 22.22.040 would allow 20 acre parcels on the basis of a SCS Class I soils, the number of parcels shall be based on a ratio of one per 40 acres.




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Ordinance Compliance

How many lots allowed for the Laetitia property?


- Base density calculated on the agricultural use on the property.
- Ordinance (2003) allows one base unit per 20 acres of row crop and one base unit per 320 acres of grazing.
 - Total row crop on the property = 633 acres/20 = 31 units
 - Total grazing on the property = 694 acres/320 = 2 units



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Ordinance Compliance

- Since Agriculture allows two primary residences per base parcel, the project is allowed:
 $31 + 2 = 33 \times 2$ primary residences = 66 units
- Property is in two land use categories (AG & RL)
- Consistent with the LUO (2003) and a previously approved ag cluster (Talley Farms), a separate calculation was used for the separate Agriculture and Rural Lands land use categories.



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Ordinance Consistency - Density

Table 3:

Agricultural (AG) land use category				
Ag Use	Acreage	# of Lots	# Dwellings	Clustered lots
Vineyard	487 acres	487/20 = 24	2/lot	48 lots
Grazing	340 acres	340/320 = 1	2/lot	2 lots
		TOTAL		50 lots

Note: With approximate amount of vineyard removal (27.9 acres) and requirement for 95% open space requirement, the approximate number of parcels is reduced to 40 for the Agriculture land use category.

Rural Lands (RL) land use category				
Ag Use	Acreage	# of Lots	# Dwellings	Clustered lots
N/A	693	693/20	1/lot	34 lots
		TOTAL		34 lots
		GRAND TOTAL		74 lots



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Ordinance Consistency - Density

Planning Commission
Tract 2408/Talley Farms, Inc
Page 5

The following table identifies the agricultural uses on the site along with the acreage of each use and the associated number of parcels allowed by the acreage of ag use. In order to simplify the analysis, irrigated row crops, vineyards, orchards and other irrigated crops are bundled under the heading of irrigated ag as they all allow a 20 acre minimum parcel size:

Ag Use	Acreage	# of Lots	Clustered lots
Irrigated Crops	593 acs.	593/20 = 30	60 lots
Grazing	3567 acres	3567/320 = 11.14	22 lots
Rural Lands	165 acres	165/20 = 8	8 lots
		TOTAL	90 lots

The applicant proposes to create 87 lots on the site. This number of lots is less than the maximum allowable number of lots.




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Ordinance Compliance

Agricultural Cluster Ordinance

- Affected Areas - Complies
- Lands eligible for clustering - Complies
- Eligibility of lands under Ag Preserve - Complies
- Permit Requirements - Complies
- Application content - Complies
- Environmental Review - Complies
- Access - Complies
- Agricultural land/OS preservation - Complies




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Ordinance Compliance

Agricultural Cluster Ordinance

- Findings – Does not comply
- Allowed number of parcels and residential density – Does not comply
- Site design and development standards – Does not comply (Original Project)




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Ordinance Compliance - Findings

Finding 22.22.150g(1):

- “The project will result in the continuation, enhancement, and long-term preservation of agricultural operations consisting of the production of food and fiber on the subject site and in the surrounding area.”
 - Conversion of ag land
 - Ag buffers within ag parcels
 - Spread-out design
 - Visiting and worker population




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Ordinance Compliance - Findings

Finding 22.22.150g(2)a:

- “The project has been designed to locate proposed development to avoid and buffer all prime agricultural soils on the site, other agricultural production areas on the site, as well as agricultural operations on adjoining properties.”
 - Spread-out design locates development throughout entire agricultural operation.



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Ordinance Compliance - Findings

Finding 22.22.150g(2)c:

- “Avoid placement of roads or structures on any environmentally sensitive habitat areas.”

Direct impacts to:

Riparian habitats	Special-status plants
Wetland habitats	Special-status animals
Oak woodlands	




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Ordinance Compliance - Findings

Finding 22.22.150g(2)e:

- “Cluster proposed residential structures to the maximum extent feasible so as to not interfere with agricultural production and to also be consistent with the goal of maintaining the rural character of the area.”
 - Residential development distributed throughout entire vineyard
 - Two miles in length, ½ mile in width
 - Non-contiguous design leads to inherent incompatibilities between residential uses and agricultural operations




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Ordinance Compliance - Findings

Finding 22.22.150g(3):

- “The proposed project will not result in any significant adverse social impacts affecting on-site or off-site agricultural operations, including but not limited to trespass, vandalism, and complaints about agricultural practices.”
 - Visiting population
 - Social impacts – complaints about noise, dust, etc.




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Ordinance Compliance - Findings

Finding 22.22.150g(4):

- “The water resources and all necessary services are adequate to serve the proposed development, including residential uses as well as existing and proposed agricultural operations on the subject site and in the site vicinity.”
- FEIR analysis concluded project demand less than sustainable yield with water conservation
- WRAC and public comments – concerns with long-term enforceability and uncertain fractured rock




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General Plan Consistency

Reviewed for consistency with:

- Framework for Planning
- South County Area Plan (1994)
- Noise Element (1992)
- Energy Element (1995)
- Agriculture and Open Space Element (1998)

Project Findings (Exhibit A) list the goals and policies with which the project is inconsistent.




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General Plan Consistency

Agricultural and Open Space Element

- AGP 11: Agricultural Water Supplies: Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.

Although water conservation measures in FEIR would reduce demand for domestic, applicant proposes limiting ag irrigation during droughts.




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General Plan Consistency

Agricultural and Open Space Element

- AGP 17: Agricultural Buffers: Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisors.

County recommends 500-foot buffer (based on design)
Applicant proposes 200 feet – this distance plus spread-out design results in land use conflicts.




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General Plan Consistency

Agricultural and Open Space Element

- AGP 18: Location of improvements. Locate new buildings, access roads, and structures so as to protect agricultural land.

Proposal includes removal of approximately 103 and 113 acres, respectively, of productive vineyards.



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General Plan Consistency

Agricultural and Open Space Element

- AGP 20: Agricultural Land Divisions

Where a division of agricultural lands is proposed, a contiguous cluster division consistent with AGP22 is an alternative to a conventional “lot split” land division. Where a land division is proposed, the proposed parcels should be designed to ensure the long term production of agricultural resources.

Long-term protection of ag resources not ensured due to spread-out location of residences.



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General Plan Consistency

Agricultural and Open Space Element

- AGP 22: Major Agricultural Cluster Projects

The maximum number of parcels allowed in a major agricultural cluster project shall be equivalent to the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria.

Applicant has incorrectly calculated density.




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General Plan Consistency

Agricultural and Open Space Element


- AGP 24: Conversion of Agricultural Land
- AGP 25: Unique for Sensitive Habitat
- AGP 26: Streams and Riparian Corridors
- AGP 30: Scenic Resources
- AGP 33: Archaeological and Cultural Sites
- AGP 34: Historical Resources



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Environmental Issue Areas


Aesthetics	Historic Resources
Agricultural Resources	Noise
Air Quality	Paleontological Resources
Archaeological Resources	Public Services & Utilities
Biological Resources	Recreation
Geology and Soils	Transportation/Circulation
Hazards and Hazardous Materials	Hazards and Hazardous Materials
	Wastewater
	Water



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Aesthetic Resources


- Visible along 4-mile segment of NB Highway 101, 0.8 mile segment of SB Highway 101 and Los Berros Road
- Portions visible from Sheehy Road, and North Thompson Road
- Portions of site subject to Highway 101 Corridor Design Standards and Sensitive Resource Area (Open Space Element)

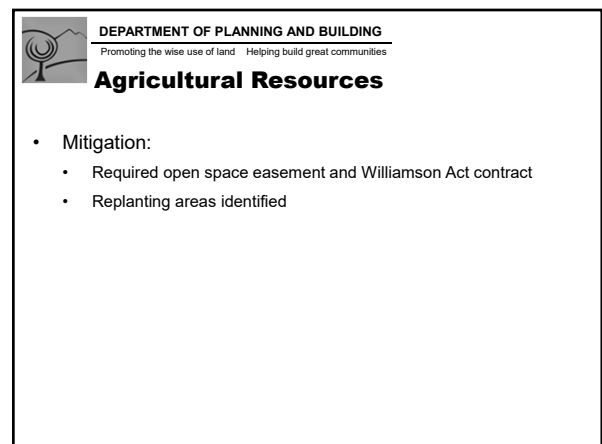
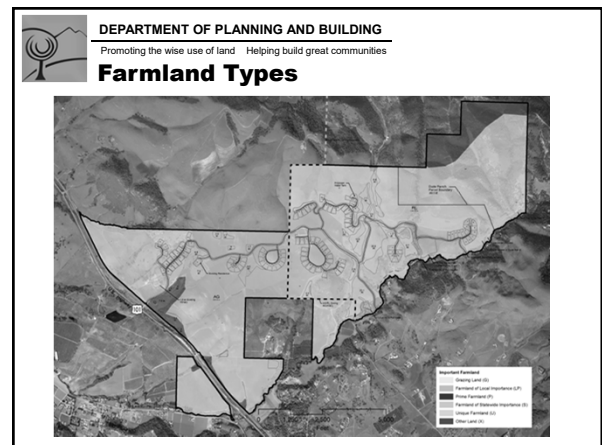
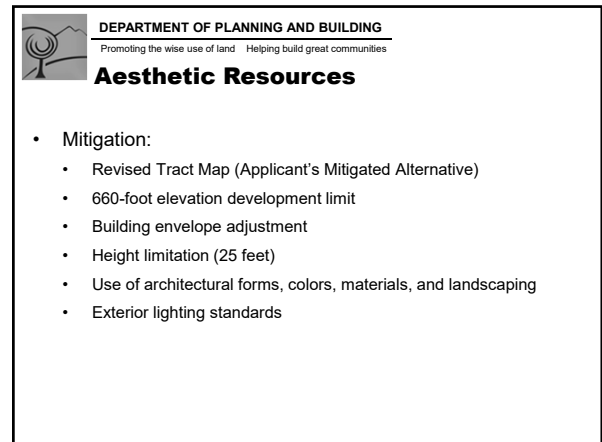



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Aesthetic Resources

Limits of Sensitive Resource Area (SRA) as defined in the County AG and Open Space Element and the Highway Corridor Design Standards as defined in the South County Area Plan.
Boundaries transcribed from the original map on file at the San Luis Obispo County Department of Planning and Building.








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Air Quality and Greenhouse Gas


- Construction emissions
 - May be reduced upon development of construction schedule
- Operational emissions
- Greenhouse gas emissions
- Potentially inconsistent with Clean Air Plan
- Odors from wastewater treatment facilities and ponds



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Air Quality and Greenhouse Gas


- Mitigation:
 - Standard measures recommended by the APCD
 - Potential need for off-site mitigation



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Archaeological Resources


- Several significant archaeological sites
- Mitigation:
 - Avoid through tract redesign (Applicant's Mitigated Alternative)
 - Phase III Data Recovery
 - Soil capping
 - Avoid recycled water irrigation within sites
 - Monitoring during construction
 - Training and notices



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Biological Resources


- Habitats include:
 - Annual grassland
 - Coastal scrub
 - Coast live oak woodland
 - Central coast cottonwood-sycamore riparian forest
 - Central coast riparian scrub
 - Freshwater marsh wetland
 - Eucalyptus grove
 - Rock outcrops
 - Creeks and streams



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Biological Resources


- Special-status species:
 - Jones' mallow and club-haired mariposa lily (CNPS List 4.3)
 - California red-legged frog
 - Southwestern pond turtle
 - South-central California coast steelhead (Upper Los Berros)
 - White tailed kite, Cooper's hawk, nesting birds
- Native and important vegetation
 - Coast live oak woodland and individual oak trees
- Jurisdictional creeks and wetland



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Biological Resources

- Mitigation:
 - Applicant's Mitigated Project reduces oak woodland impacts
 - Special-status Plant and Habitat Revegetation & Restoration Plans
 - Oak Tree Inventory, Avoidance, and Protection Plan
 - Replacement of removed and impacted oak trees
 - Oak Woodland Conservation Fund
 - Erosion, sedimentation, and pollution control
 - Pre-construction surveys
 - Prevent unnecessary disturbance, monitor construction, environmental training
 - Monitor and protect baseflow in Upper Los Berros Creek

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Hazards and Hazardous Materials

- Fire Hazard:
 - Moderate to very high fire hazard
 - Vegetative and fuel management assessed by CalFire
 - Internal access road requirements
 - Secondary access required
- Mitigation:
 - Revised tract design (Applicant's Mitigated Alternative) addresses internal access roads
 - Secondary access meeting CalFire standards

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Public Services and Utilities

- Fire Protection
 - Ten minute response time to property boundary
 - Significant cumulative impact
 - CalFire identified need for new fire station in area
- Mitigation
 - Land dedication or payment of in-lieu fee for future acquisition of land for fire station
 - New station would not be built prior to project operation

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Transportation and Circulation


- Traffic analysis considered:
 - Highway 101/Laetitia Vineyard Drive
 - Los Berros Road/Highway 101 SB ramps
 - North Thompson Road/Highway 101 NB ramps
 - North Thompson Road/Sheehy Road
 - North Dana Foothill Road/Sheehy Road
 - Upper Los Berros Road
 - NB and SB Highway 101 and on- and off-ramps
 - Pedestrian and bicycle facilities
 - Transit

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Transportation and Circulation

Intersection	Traffic Control	Time Period	Existing		Existing With Project	
			Average Delay (sec/veh) ¹	LOS ²	Average Delay (sec/veh) ¹	LOS ²
Highway 101/ Laetitia Vineyard Dr	Two-Way Stop Controlled ¹	a.m. p.m.	0.1 (111.1) 0.5 (182.9)	A (F) A (F)	0.1 (118.3) 0.5 (196.3)	A (F) A (F)
SB Highway 101 Ramps/ Los Berros Rd	Two-Way Stop Controlled ¹	a.m. p.m.	4.0 (19.6) 8.7 (25.6)	A (C) A (D)	5.8 (26.8) 18.4 (51.7)	A (D) C (F)
NB Highway 101 Ramps/ North Thompson Rd	Two-Way Stop Controlled ¹	a.m. p.m.	7.4 (27.5) 6.3 (18.2)	A (D) A (C)	8.9 (35.6) 6.9 (21.6)	A (E) A (C)
Sheehy Rd/ North Thompson Rd	Two-Way Stop Controlled ¹	a.m. p.m.	3.0 (9.6) 2.5 (10.7)	A (A) A (B)	4.8 (10.1) 4.5 (11.3)	A (B) A (B)
Sheehy Rd/ North Dana Foothill Rd	Two-Way Stop Controlled ¹	a.m. p.m.	4.0 (8.9) 6.7 (8.8)	A (A) A (A)	3.8 (9.5) 6.3 (9.6)	A (A) A (A)


¹ Overall intersection delay is presented followed by delay for the most severely impacted turning movement in parentheses.
² LOS = Level of Service
Significant impacts are highlighted in bold.

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Transportation and Circulation


Intersection	Traffic Control	Time Period	Cumulative		Cumulative With Project	
			Average Delay (sec/veh) ¹	LOS ²	Average Delay (sec/veh) ¹	LOS ²
1. Highway 101/ Laetitia Vineyard Dr	Two-Way Stop Controlled ¹	a.m. p.m.	0.4 (297.9) 2.1 (782.1)	A (F) A (F)	0.4 (317.4) 2.3 (832.2)	A (F) A (F)
2. SB Highway 101 Ramps/ Los Berros Rd	Two-Way Stop Controlled ¹	a.m. p.m.	4.6 (21.4) 14.1 (41.8)	A (C) B (E)	6.7 (29.7) 32.2 (92.3)	A (D) D (F)
3. NB Highway 101 Ramps/ North Thompson Rd	Two-Way Stop Controlled ¹	a.m. p.m.	11.7 (43.3) 10.9 (29.9)	B (E) B (D)	14.8 (58.8) 14.7 (43.4)	B (F) B (E)
4. Sheehy Rd/ North Thompson Rd	Two-Way Stop Controlled ¹	a.m. p.m.	3.2 (10.4) 2.8 (12.7)	A (B) A (B)	4.6 (11.1) 4.5 (13.7)	A (B) A (B)
5. Sheehy Rd/ North Dana Foothill Rd	Two-Way Stop Controlled ¹	a.m. p.m.	4.0 (9.2) 6.9 (9.0)	A (A) A (A)	3.9 (9.7) 6.6 (9.8)	A (A) A (A)

¹ Overall intersection delay is presented followed by delay for the most severely impacted turning movement in parentheses.
² LOS = Level of Service
Significant impacts are highlighted in bold.
Source: Fehr & Peers, 2006.


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Transportation and Circulation

- Highway 101/Laetitia Vineyard Drive (secondary access)
 - Currently LOS F
 - Caltrans Encroachment Permit limits use
- FEIR Alternatives Analysis identifies potential alternative for secondary access
 - Requires easements on off-site private parcels
 - Results in additional significant impacts

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Secondary Access / Main Road



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Transportation and Circulation

- Highway 101 SB ramps / Los Berros Road intersection
 - Project reduction from LOS C to D (AM peak)
 - Project reduction from LOS D to F (PM peak)
 - Cumulative project reduction from LOS C to D (AM peak)
 - Cumulative project reduction from LOS E to F (PM peak)
- Mitigation:
 - Traffic signal and westbound left-turn pocket (or roundabout)

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Transportation and Circulation

- Highway 101 NB ramps / North Thompson Road
 - Project reduction from LOS D to E (AM peak)
 - Cumulative project reduction from LOS E to F (AM peak)
 - Cumulative project reduction from LOS D to E (PM peak)
- Mitigation:
 - Traffic signal and eastbound left-turn pocket (or roundabout)

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Transportation and Circulation

- Highway 101/Los Berros Road/North Thompson Road
 - Ramp junctions operate at LOS D with and without project
 - Requires highway capacity improvements
- Mitigation:
 - Lengthen deceleration and acceleration lanes

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Transportation and Circulation

- Sheehy Road/North Thompson Road
 - Potentially unsafe left-turn movement at intersection
 - Sheehy Road – unpaved shoulders, lack of edge of road striping
- Mitigation:
 - Left turn channelization lane, improve shoulders

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Transportation and Circulation

- Sheehy Road/North Dana Foothill Road
 - Uncontrolled intersection, undefined driver right-of-way
 - North Dana Foothill Road – unpaved shoulders, lack of striping
- Mitigation:
 - Stop sign, improve shoulders, add road striping

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Transportation and Circulation

- Upper Los Berros Road
 - Lack of paved shoulders and striping
 - Lack of paving in sections
 - Insufficient road width to accommodate project traffic
- Mitigation:
 - Widen roadway, construct shoulders, add striping
 - Maintain or improve existing culverts and under-crossings for wildlife

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Transportation and Circulation

- Secondary Impacts and Mitigation
 - Cultural resources
 - No resources documented
 - Monitoring required
 - Biological resources
 - Los Berros Creek and jurisdictional habitat
 - Loss or impacts to oak trees (94) and sycamore trees (16)
 - Special-status wildlife
 - Mitigation: Applicable measures associated with tract improvements

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Water Resources

- Baseline Water Demand
 - Applicant's Mitigated Project incorporates water conservation measures: 46.3 afy (domestic water use)
- Well Testing and Analysis
- Identification of Sustainable Yield: 62.4 afy
- Effects to Los Berros Creek

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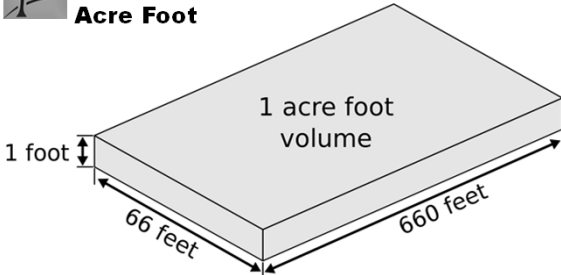
Independent Analysis of Water Supply and Demand

Geosyntec conducted an independent analysis of the project demand, well testing, and sustainable yield from the four project bedrock wells.

Gordon Thrupp, PhD, PG, CHG
Associate Hydrogeologist with Geosyntec Consultants
30 years experience with hydrogeologic evaluations

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Acre Foot



One acre foot = 325,851 gallons
Volume of water one foot deep over an acre.

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Acre Feet and Typical Residential Use

One acre foot = 325,851 gallons

1 AFY (acre foot per year) = 893 gallons per day = 0.62 gpm

1 AF is planned annual water usage for a suburban family household (e.g. Montana).

0.25 AF is planned annual residential water usage for some areas of arid southwest US (e.g. Santa Fe, NM)

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Estimated Project Water Demand

Original estimate:

143 acre-feet per year (AFY) = 88.7 gpm
(DEIR, SWCA 2008; C&A, 2005)

Allocated Project Demand in FEIR (after revisions and water conservation measures):

46.3 AFY = 29 gpm.
equivalent to 0.44 AF per lot (duty factor)
~390 gallons per day

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Estimated Project Water Demand

Based on review of guidance documents by CA DWR, US DOE, US EPA and CA Home Building Foundation, Geosyntec determined the duty factor of 0.44 AFY per lot to be reasonable.

Geosyntec recommended a water management plan and program to monitor compliance with the duty factor.

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Existing Water Supply

Seven wells constructed between 1983 and 1999 and springs, storage tanks and two reservoirs provide water for the 620 acres of vineyards, a 5 acre citrus orchard and existing dwellings.

Based on production records, between 1999 and 2003 average production from irrigation wells was 161 AF/Y (~100 gpm).

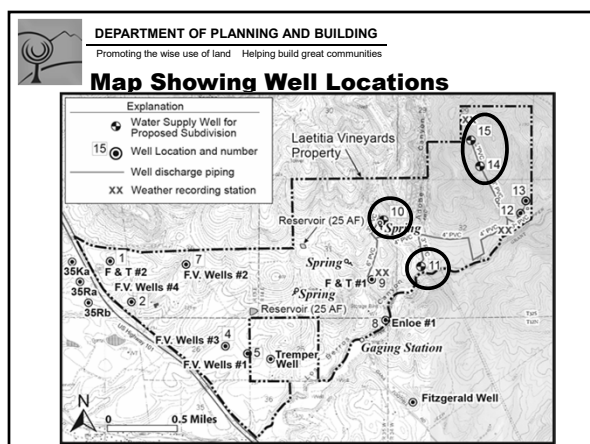
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Water Supply for Proposed Project

Six new wells drilled between 2003 and 2006.

Two wells were removed from the plan due to concern about influence of their pumping on perennial pools along the Los Berros Creek.

Four Wells in fractured bedrock are proposed to provide water for the proposed development.



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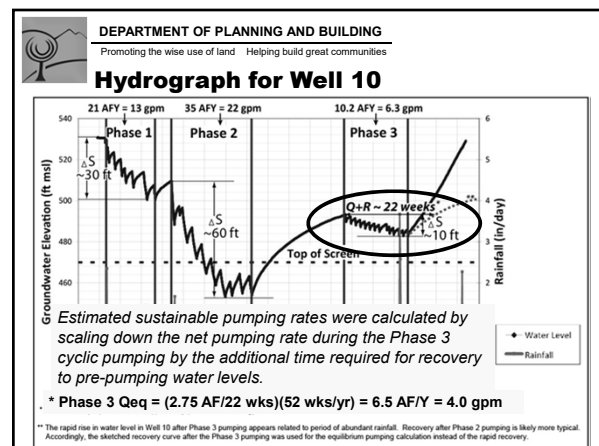
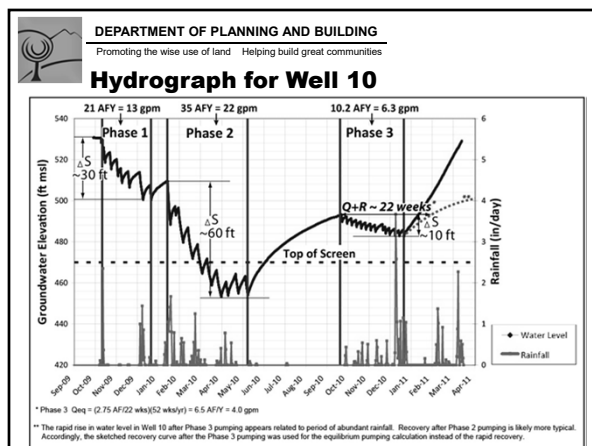
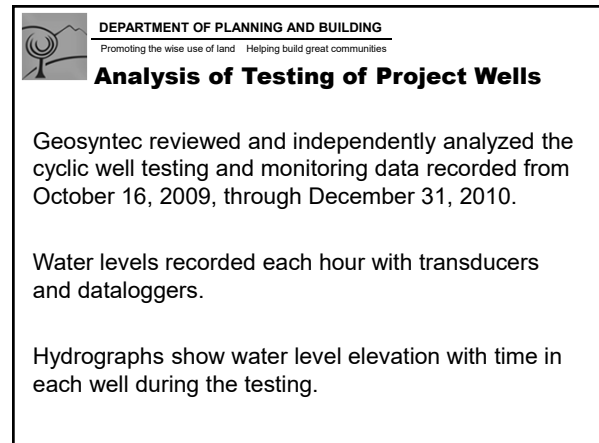
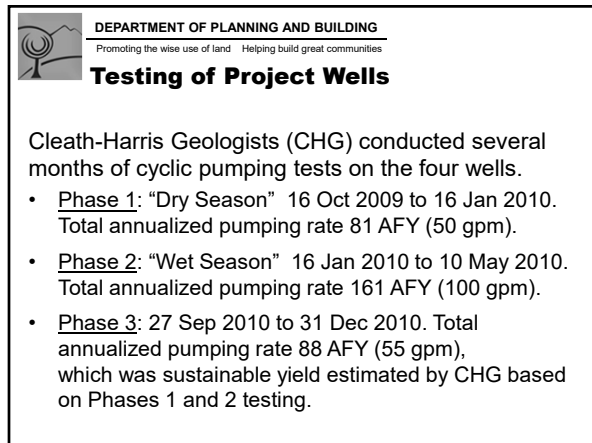
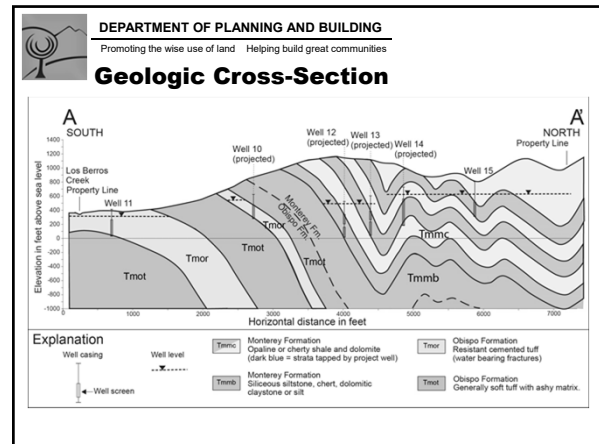
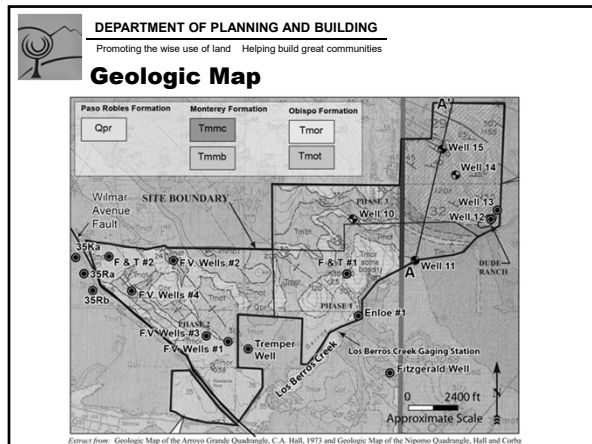
Four Project Wells

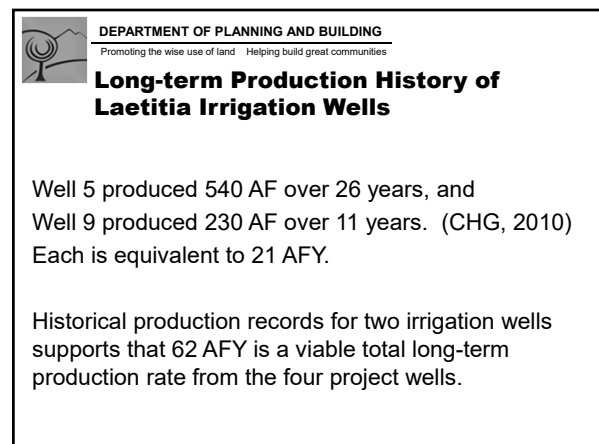
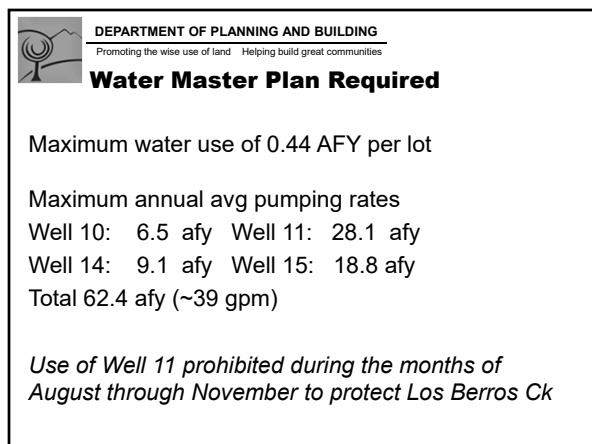
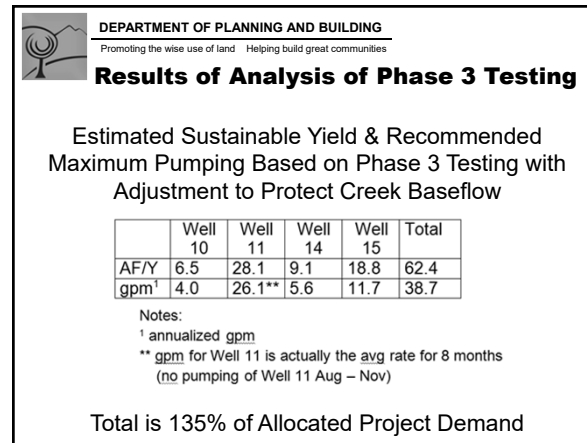
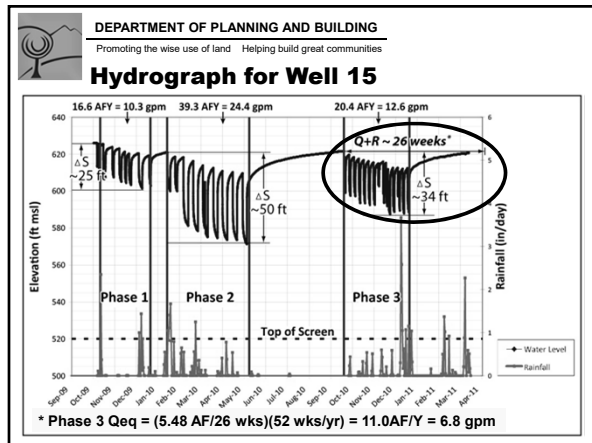
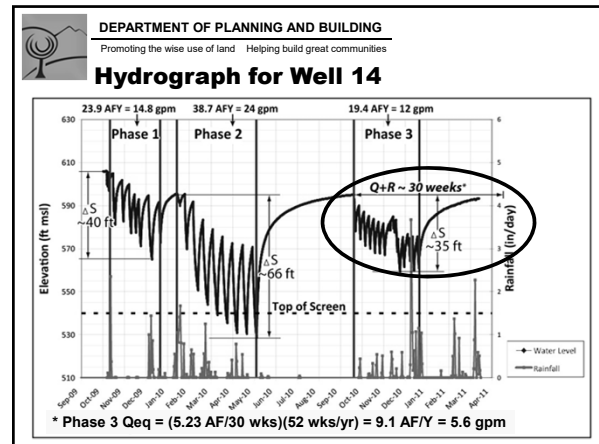
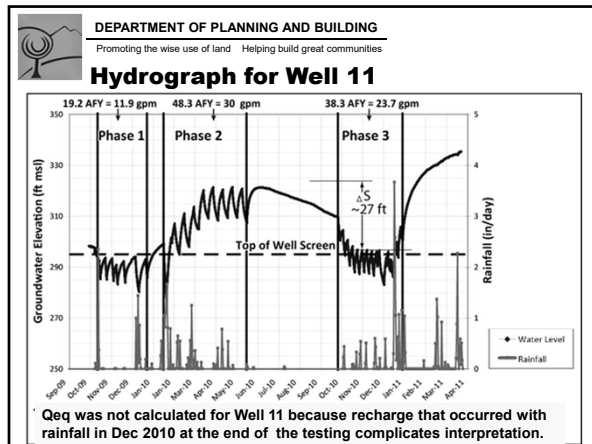
Wells 10 and 11 in the Obispo Formation

- Well 10 screened between 150 and 330 ft bgs
- Well 11 screened from 115 to 305 ft bgs

Wells 14 and 15 in the Monterey Formation

- Well 14 screened from 170 to 530 ft bgs
- Well 15 screened from 310 to 510 ft bgs







Cautionary Notes

Rainfall during the testing program was 138% of normal.

Favorable long-term production records are available for wells in the Obispo Formation, but no long-term data are available for wells in the Monterey Formation at the property.

Long-term yields from wells producing from bedrock aquifers commonly are less than short-term yields.

Precise prediction of sustainable yield is not possible, particularly for fractured bedrock wells.



Water Resources

- Water conservation measures:
 - Maximum 1,500 sf of drought tolerant landscaping, including a maximum of 300 sf of turf
 - Dual water meters (indoor and outdoor)
 - Increased water rates and penalties
 - Moratorium on landscaping irrigation



Water Resources

- Mitigation:
 - Water Master Plan including:
 - Well production limitations
 - Maximum water use identified for each residential lot
 - Water conservation measures (indoor and outdoor)
 - Drought Water Management Program
 - Monitoring and reporting for the life of the project
 - Use of recycled water for common area landscaping
 - Streamflow gauges in Los Berros Creek



Alternatives Analysis

1. No project alternative
2. Applicant Proposed Alternative
3. Reduced Project A: Ordinance and GP Consistency
4. Reduced Project B: Reduced Density Two-Cluster
5. Redesigned Project A: Single Cluster
6. Redesigned Project B: Single Cluster, 93% Reduction
7. Redesigned Project C: Effluent Disposal Option



Alternatives Analysis

8. Alternative Project Location
9. Proposed Project with Tract Design Mitigation
10. Alternative Access Option

Environmentally Superior Alternative

- Redesigned Project B – Single Cluster, 93% Reduction. Substantially different than project.


All other alternatives are superior to Original Project.



Alternatives Analysis

Class I Impacts
19 15


Impact	Original Proposed Project	Applicant Proposed Alternative 2
AES Impact 4 Change in visual character from Hwy 101	X	X
AES Impact 5 Hwy 101 SRA/HCD, sub-cluster A	X	
AES Impact 6 Visual character, Los Berros Road, sub-cluster B	X	
AES Impact 18 Hwy 101 cumulative	X	X
AG Impact 1 Farmland conversion, project-wide	X	X
AG Impact 2 Land use conflicts, project-wide	X	X
AG Impact 4 Farmland conversion, cumulative	X	X
AG Impact 9 Inconsistent with the Clean Air Plan	X	X
AG Impact 10 Cumulative air quality impact	X	X
AR Impact 1 Direct impacts, archaeological, project-wide	X	
AR Impact 9 Cumulative archaeological impacts	X	
BIO Impact 3 Direct impacts, oak trees/woodland, project-wide	X	X
HM Impact 2 Fire hazard, dead-end road length, project-wide	X	X
NS Impact 3 Stationary noise, exposure to agricultural noise	X	X
PSU Impact 4 Emergency services, cumulative	X	X
TR Impact 4 101/Los Berros Road/N. Thompson Rd., off-site	X	X
TR Impact 10 Laetitia Vineyard Drive, access control	X	X
TR Impact 13 Secondary access, cumulative	X	X
TR Impact 15 101/Los Berros Rd./N. Thompson Road, cumulative	X	X



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Agency and Public Comment


- Significant public comment letters
- Draft EIR and Recirculated EIRs
- WRAC review
- Agency review
- South County Advisory Council
- Cal Trans
- Cal Fire



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Summary

- Laetitia project is unique:
 - Combination of size and location among intensive agricultural operation
 - Spread-out design
 - Scale of improvements required
 - Location near Highway 101 – access, visual
 - Water resources
 - Community separator – Nipomo & A.G.
 - Community wastewater system




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Staff Recommendation

That the Planning Commission:

1. Deny the Vesting Tentative Tract Map and Conditional Use Permit; and
2. Adopt the Findings included in Exhibit A.




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Questions?

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**Laetitia Agricultural
Cluster Subdivision**



SUB2003-00001 / DRC2003-00001
Applicant: Janneck, Limited

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Project Continued, Correspondence

Continued from August 13, 2015

- Commissioner Irving questions
- Commissioner Topping questions
- KMTG letter
- RRM Design Group letter
- Applicant water analysis letter (Cleath-Harris)
- Public comments

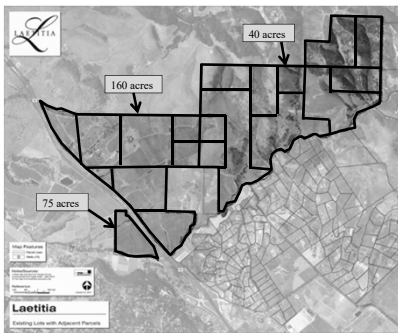
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Commissioner Irving Questions

- Existing legal, buildable parcels?
- CalTrans could not object to use of winery entrance?
- History and creation of parcels south of Laetitia?

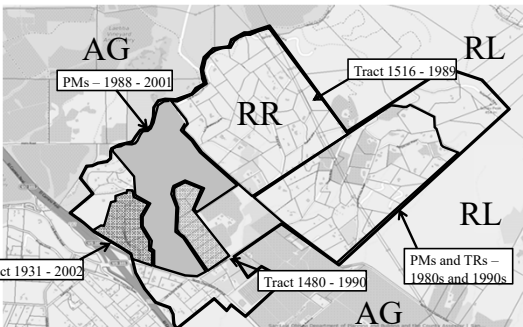
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Existing Parcels



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Existing Parcels



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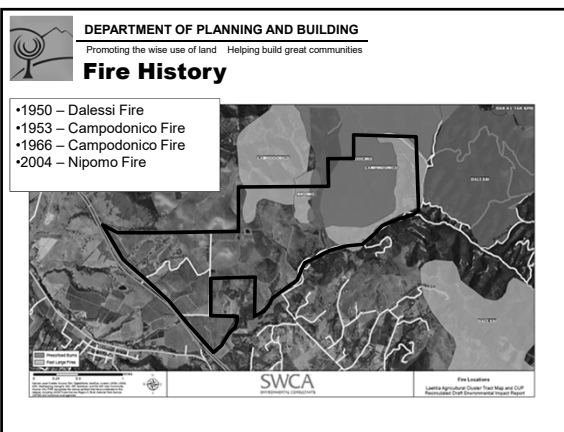
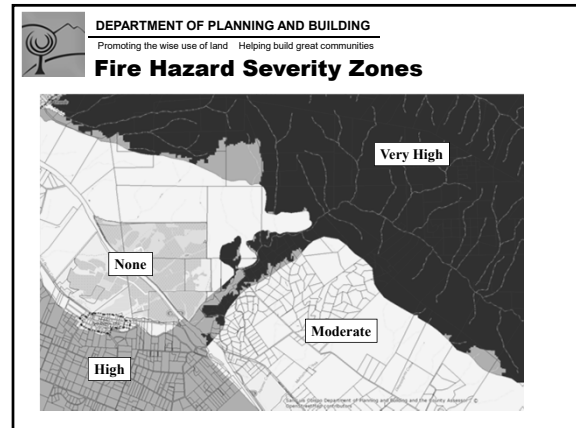
Commissioner Topping Questions

- Larger scale, legible drawing of Applicant Proposed Alternative 2?
- Options for alternative project design considered?
- Any feasible alternative ingress and egress?
- CAL FIRE Fire Hazard Severity Zones?

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Commissioner Topping Questions

- How will guard gate prohibit all ingress & egress?
- Does project comply with PRC 4290 – Dead-end road regulations?



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KMTG Letter

- Staff reviewed and found no “legal errors” in the staff report.
- Differences of opinion on findings of consistency and ordinance interpretation.
- CA Housing Accountability Act – finding included in August hearing

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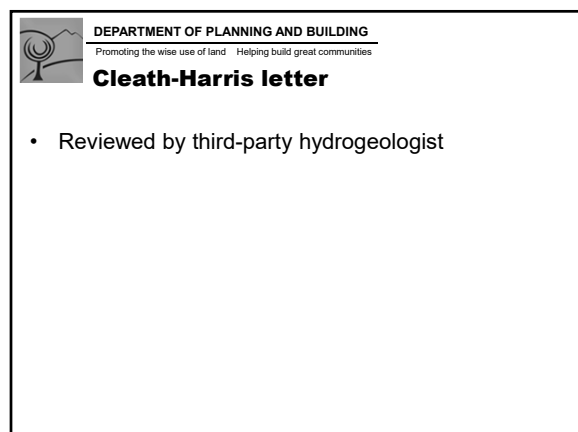
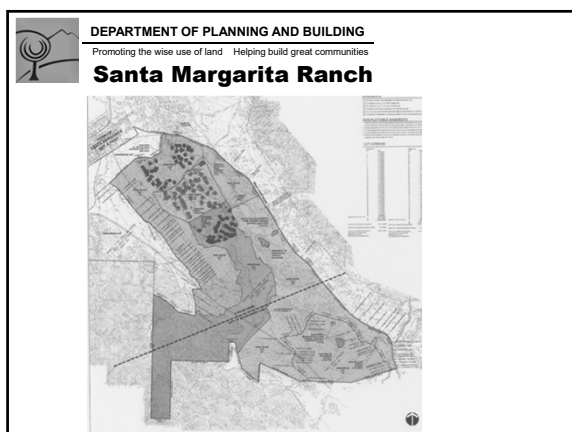
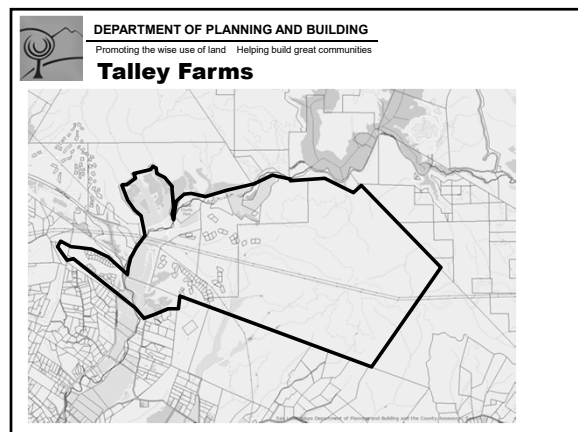
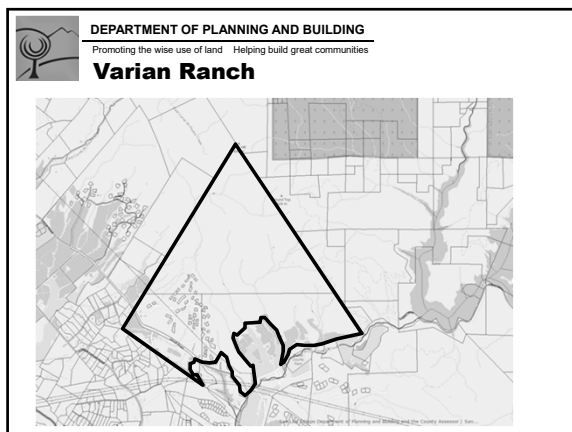
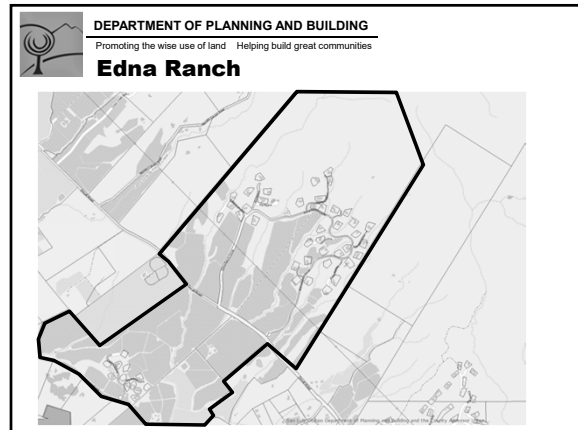
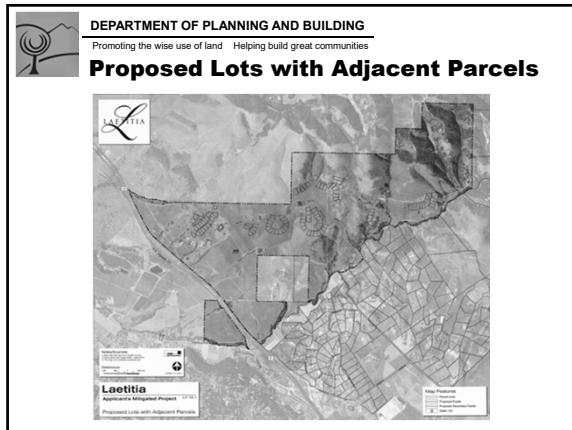
Proposed Finding


- Government Code Section 65589.5 does not apply to the project because the project does not comply with applicable, objective General Plan and Zoning standards, including but not limited to a maximum density allowed by these standards. In addition, the project would have a specific, adverse impact upon the public health or safety as described in the findings above and in the Final EIR prepared for this project. The development is proposed within a high fire hazard area, using a dead-end road without emergency secondary access meeting CalTrans requirements, and would result in an increased demand for emergency services personnel and facilities. The project would also exacerbate projected deficient transportation operations along Highway 101 during the peak hours. There are no feasible methods of satisfactorily mitigating or avoiding these adverse impacts other than disapproval of the project.

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RRM Letter

- Differences of opinion on findings of consistency and ordinance interpretation.
- Oak Trees – Applicant Mitigated Alternative removes 7 and impacts 56 for a total of 63 trees. Class I impact due to secondary impacts (94 oaks and 16 sycamores) from potential road improvements.






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Public Comment letters

- Attachment 2
 - James Toomey letter
 - Denise Stevens letter
 - Sheila O'Connell letter
 - Max and Jeanne Eggert letter
 - Mary Jane Alumbaugh letter




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Staff Recommendation

That the Planning Commission:

1. Deny the Vesting Tentative Tract Map and Conditional Use Permit; and
2. Adopt the Findings included in Exhibit A.




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Questions?

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Laetitia Agricultural Cluster Subdivision



SUB2003-00001 / DRC2003-00001
Applicant: Janneck, Limited

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Project Continued, Correspondence

Continued from September 10, 2015

- Update on Production Data and Water Levels in Laetitia Wells
- Commissioner Irving e-mail re: Findings
- John Janneck letters (Oct 21, 2015) re: density
- Toomey letter
- Unauthorized diversion e-mail (SWRCB)

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Update on Production Data and Water Levels in Laetitia Wells

Due to concern about the influence of drought on the groundwater resources at Laetitia, the County requested updated records of water levels and production data for the project wells and the vineyard irrigation wells.

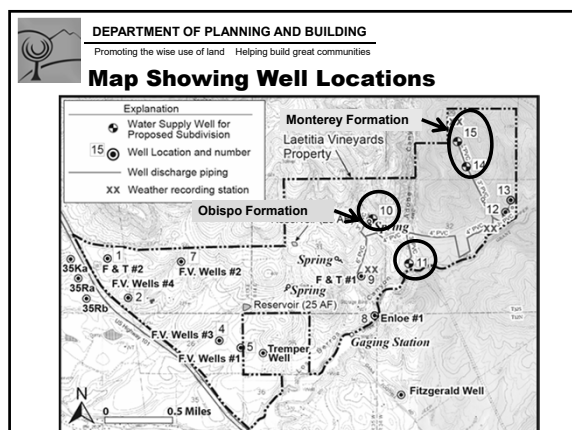
On behalf of the applicant, Cleath-Harris Geologists (CHG) provided updates on the wells and conducted supplementary testing.

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Pumping of Project Wells in 2015

Well 15:
Pumping of 6.75 acre-feet (AF) from late May to early August.

Wells 10, 11, 14, 15:
Supplementary cyclic pump testing conducted in Sept & Oct.
Total pumping of 5.75 AF
Annual rate of 90.7 AFY gpm
(nearly twice the project demand of 46.3 AFY)



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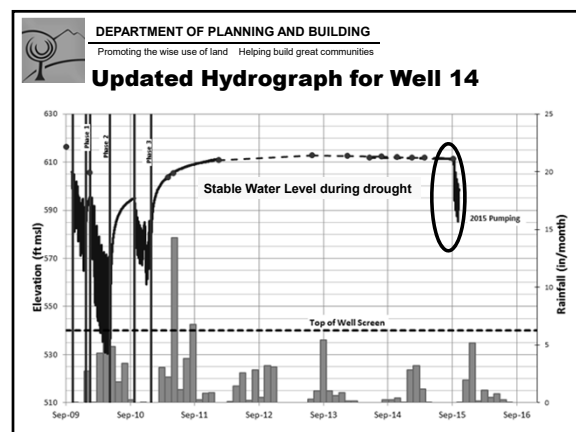
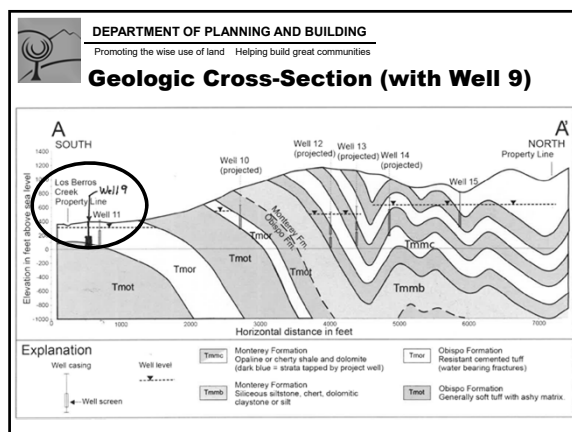
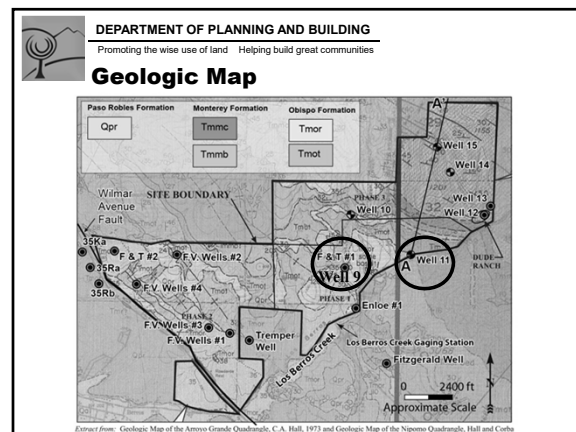
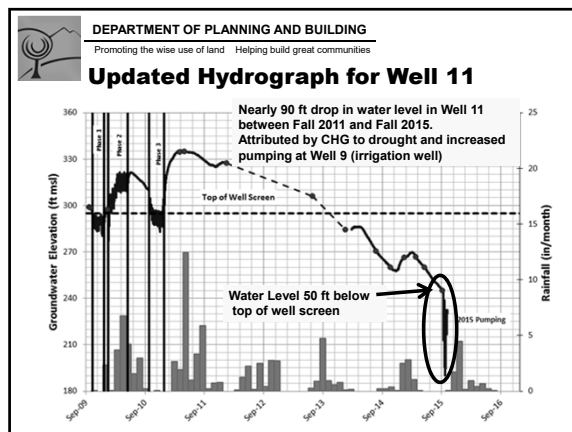
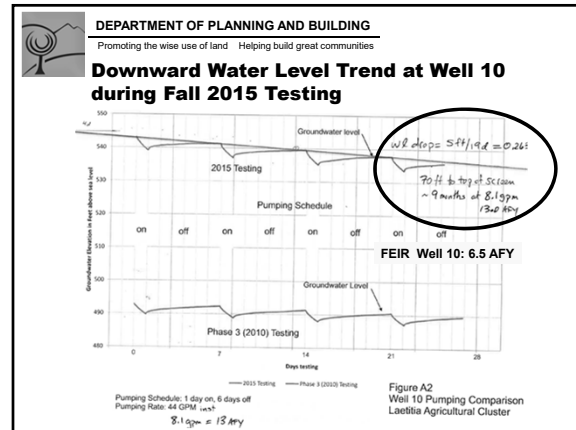
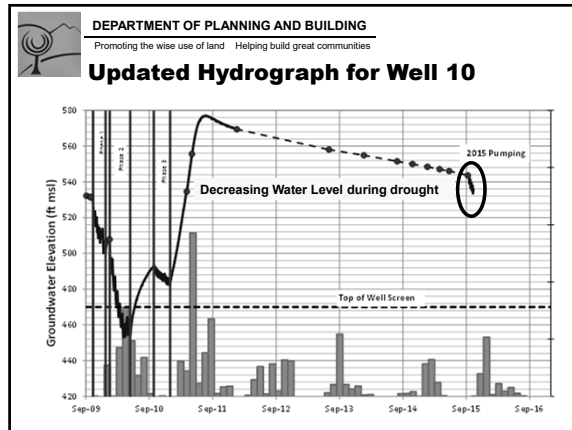
Additional Testing of Project Wells

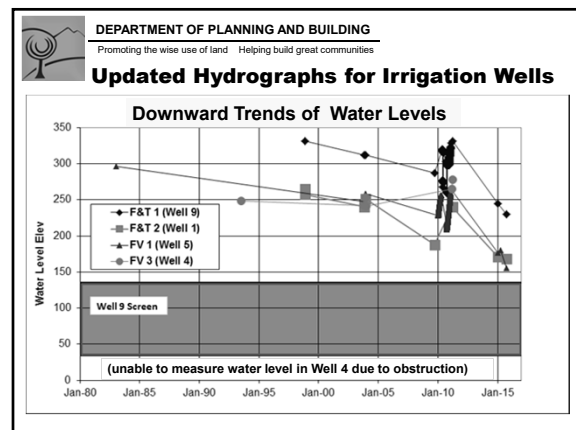
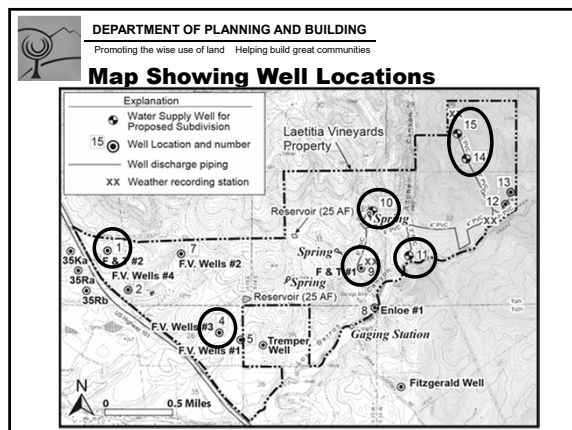
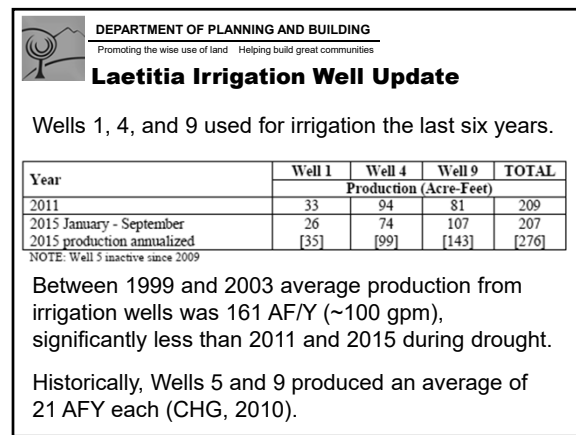
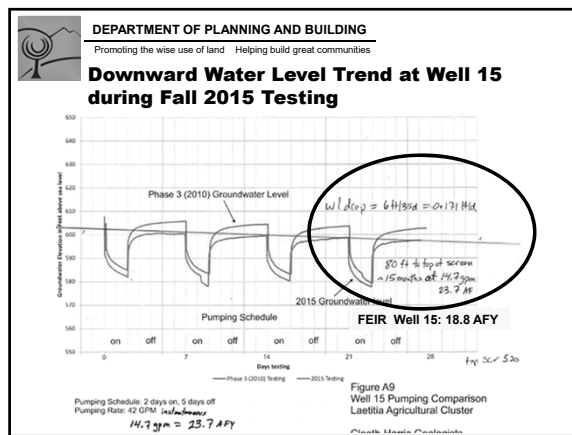
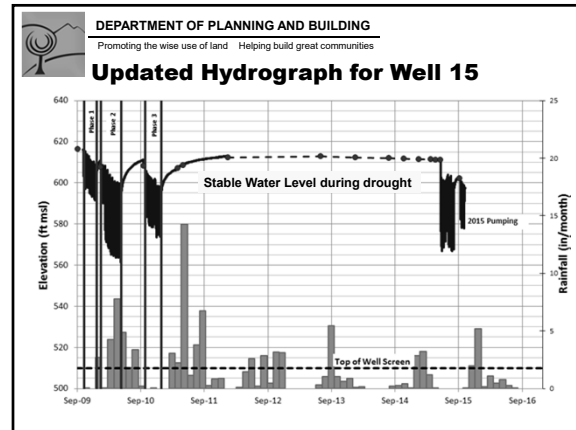
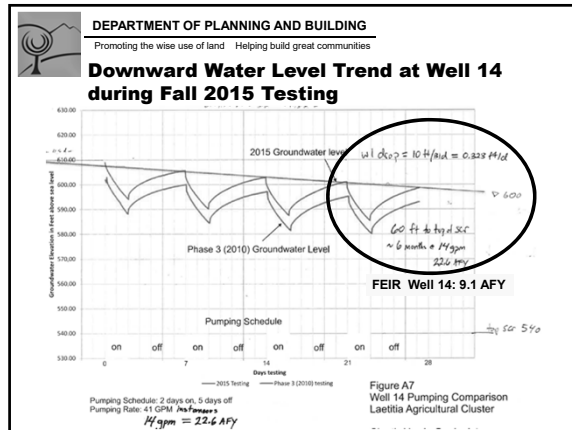
(CHG) conducted additional cyclic pumping tests at the project wells in September and October 2015:


- CHG reported a sustainable yield of ~72 AFY during the current drought conditions.

For comparison:

- Based on Phase 1 and 2 testing in 2010 CHG reported a sustainable yield of 88 AFY.
- FEIR sustainable yield s 62.4 AFY, based on Phase 3 testing with adjustment to protect creek.
- Allocated Project Demand: 46.3 AFY






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Summary of Water Level Data

During the drought, water levels in the idle project wells dropped in Obispo Wells, but were stable in Monterey Wells.

Obispo Wells are influenced by pumping from other wells, and reduced recharge from Los Berros Creek.

Monterey Wells were not influenced by drought in the short term while they were idle.


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Production Capacity during Drought

Specific Capacity (gpm/ft drawdown) remained stable in Wells 10, 14 & 15, but decreased by nearly a factor of three in Well 11. But the wells have been idle!

Capacity data is consistent with water level data:

- Water level remained above well screens in Wells 10, 14 & 15 during drought (w/o pumping). So, transmissivity and production capacity remained constant.
- Water level in Well 11 dropped ~50 ft below the top of screen, so transmissivity and thus production capacity is lower.


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Updated Well Yield Estimates

	Well 10	Well 11	Well 14	Well 15	TOTAL
	(acre-feet per year)				
FEIR	6.5	28.1	9.1	18.8	62.4*
CHG 2015 Drought Yield with storage buffer**	6.5	14.4	19	32	71.9
CHG 2010 based on Phase 1 & 2 Testing	10	38	19	20	87

Notes:

- * Allocated project demand: 46.3 AFY
- ** increased production from Wells 14 and 15 would deplete groundwater in storage in the Monterey Fm, and likely reduce long-term production capacity.

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Reported Well Yield Estimates

	Well 10	Well 11	Well 14	Well 15	TOTAL
	(acre-feet per year)				
FEIR	6.5	28.1	9.1	18.8	62.4*
CHG 2015 Drought Yield with storage buffer**	6.5	14.4	19	32	71.9

Proposed increased production rates from Wells 14 and 15 during drought conditions exceed FEIR recommended max pumping annual rates based on Phase 3 Testing.

Notes:

- * Allocated project demand: 46.3 AFY
- ** increased production from Wells 14 and 15 would deplete groundwater in storage in the Monterey Fm, and likely reduce long-term production capacity.


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Findings

CHG estimates for current drought conditions, production capacity of Well 11 is 14.4 AFY, about half of FEIR capacity.

CHG advocates that reduced capacity of Well 11 can be made up by increased production from Wells 14 and 15.

Geosyntec agrees, but cautions that the increased production from Well 14 and 15 would deplete storage, and based on declining trends may not be sustainable for more than 0.5 to 1.5 years.

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Cautionary Notes

Recharge to bedrock aquifers is commonly a slow diffuse process. Accordingly, drought can take years to influence well yields. And recovery of groundwater levels can also take years.

Favorable long-term production records are available for wells in the Obispo Fm, but no long-term data are available for wells in the Monterey Fm at Laetitia.

Long-term yields from wells producing from bedrock aquifers commonly are less than short-term yields.


Precise prediction of sustainable yield is not possible, particularly for fractured bedrock wells.



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Project Continued, Correspondence

- Commissioner Irving e-mail re: Findings
- John Janneck letters (Oct 21, 2015) re: density
- Toomey letter
- Unauthorized diversion e-mail (SWRCB)




DEPARTMENT OF PLANNING AND BUILDING
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Staff Recommendation

That the Planning Commission:

1. Deny the Vesting Tentative Tract Map and Conditional Use Permit; and
2. Adopt the Findings included in Exhibit A.




DEPARTMENT OF PLANNING AND BUILDING
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Questions?

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**Laetitia Agricultural
Cluster Subdivision**



SUB2003-00001 / DRC2003-00001
Applicant: Janneck, Limited

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Project Continued, Correspondence

Continued from October 29, 2015

- PC straw vote to direct staff to return January 14, 2016 with:
 - ✓ Findings for approval and conditions.
 - ✓ Elimination of 19 residential parcels in Sub-Cluster E resulting in a total of 83 residential parcels.
 - ✓ Elimination of Well 11.

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Project Continued, Correspondence

- Applicant submitted revised Tentative Tract map reflecting the PC direction, but errors
- Revised map with 83 parcels provided
- Applicant also recently submitted set of proposed revisions to project findings, COA, and CEQA Findings.

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Project Continued, Correspondence

- Cleath-Harris letter dated Dec. 17, 2015.
- E-mail from Cal Fire re: emergency access
- Public comment letters (Toomey, Sierra Club)
- Applicant letter dated Jan. 11, 2016 with proposed revisions to findings and conditions.

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Results of Analysis of Phase 3 Testing

Estimated Sustainable Yield & Recommended Maximum Pumping Based on Phase 3 Testing with Adjustment to Protect Creek Baseflow

	Well 10	Well 11	Well 14	Well 15	Total
AF/Y	6.5	28.1	9.1	18.8	62.4
gpm ¹	4.0	26.1**	5.6	11.7	38.7

Notes:
¹ annualized gpm
** gpm for Well 11 is actually the avg rate for 8 months (no pumping of Well 11 Aug – Nov)


Total is 135% of Allocated Project Demand

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Production and Demand Options

	Well 10	Well 11	Well 14	Well 15	Total Production	Demand	% of Project Demand
1 FEIR Estimated Sustainable Yield & Recommended Pumping							
AF/Y	6.5	28.1	9.1	18.8	62.4	46.3	135%
annualized gpm	4.0	26.1*	5.6	11.7	38.7	28.7	
2 No Production from Well 11							
AF/Y	6.5	0.0	9.1	18.8	34.3	46.3	74%
annualized gpm	4.0	0.0	5.6	11.7	38.7	28.7	
3 No Production from Well 11 & Reduction from 102 to 83 lots (0.44 AFY/lot)							
AF/Y	6.5	0.0	9.1	18.8	34.3	36.5	94%
annualized gpm	4.0	0.0	5.6	11.7	38.7	23.6	Does not meet project demand
4 83 Lots with Production from Well 11 to meet demand with FEIR margin of safety							
AF/Y	6.5	17	9.1	18.8	31.4	38.0	135%
annualized gpm	4.0	21**	5.6	11.7	31.9	23.6	

Recommended Condition of Approval




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Production and Demand Options

- Reduce the number of lots further to 55 (assuming elimination of Well 11)
- Reduce the months and total production of Well 11 to meet the demand of an 83-lot project.


Assumes the same “margin of safety” as reviewed in the FEIR.



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Project Continued, Correspondence

- Cleath-Harris letter dated Dec. 17, 2015.
- E-mail from Cal Fire re: emergency access
- Public comment letters (Toomey, Sierra Club)
- Applicant letter dated Jan. 11, 2016 with proposed revisions to findings and conditions.




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Access

- Cal Fire requested written verification from Cal Trans that any approved secondary access road that enters/exits onto Highway 101 shall remain unimpeded in perpetuity.


“Prior to recordation of the final map, the applicant shall provide written verification from the California Department of Transportation stating that any approved secondary access road that enters/exits onto Highway 101 shall remain unimpeded access for the Laetitia Agricultural Subdivision Cluster development in perpetuity.” (COA 20)



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- Staff recommended changes



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- Applicant letter dated Jan. 11, 2016 with proposed revisions to findings and conditions.
- Staff recommended changes
 - ✓ Agricultural spraying
 - ✓ Compliance with Title 17 and Title 22 of the CA Code.




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Staff Recommendation


That the Planning Commission:

1. Approve the Vesting Tentative Tract Map and Conditional Use Permit (83 parcels); and
2. Adopt the Findings included in Exhibits A and C and the Conditions of Approval included in Exhibits B and D.




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Questions?

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Laetitia Agricultural Cluster Subdivision




SUB2003-00001 / DRC2003-00001
Applicant: Janneck, Limited

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Project Continued, Correspondence

Continued from January 14, 2016

- PC reiterated their support for approval of a reduced agricultural cluster subdivision of 83 residential parcels consistent with the Applicant Proposed Alternative 2, eliminating 19 residential parcels within Sub-Cluster E; and
- Directed staff to return February 11, 2016 with findings for approval and conditions.

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Project Continued, Correspondence

Changes to:

- Vesting Tentative Map Findings and Conditions
- Conditional Use Permit Findings and Conditions
- CEQA Findings

Based on:

- ✓ Direction from the Planning Commission
- ✓ Suggestions from the applicant
- ✓ Public comment from previous public hearings


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Project Continued, Correspondence

Letter from Cal Trans regarding access

- Secondary access vs emergency access

Requests that County deny the at-grade driveway without a mechanism to ensure non-emergency uses.


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Accident History

Accident History (Cal Trans and CHP)

- 60 incidents in last 10 years
- 15 rear-end collisions, 6 broadside collisions, 11 overturned vehicles, 28 resulted in injuries.
- Accident rate of 0.86 compared to statewide avg of 0.75


Note: Statistics are for the winery driveway sphere of influence – within 250 feet of the driveway intersection

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Secondary/Emergency Access language:

- VTTM Findings – Finding C (secondary), F and L (emergency)
- VTTM COA – #20 and 54 (secondary), 30a (emergency)
- CUP Findings – Finding D and F (emergency)
- CUP COA – #26 (secondary and emergency), 64 (emergency)
- CEQA Findings (secondary) – pg 106-107 (HM/mm-2), pg 110 (TR Impact 10), pg 139 (Alternative Access Option)
- CEQA Findings (emergency) – pg 9 (Section 2.6.2), pg 107 (HM/mm-2), pg 110 (TR Impact 10), pg 121 (TR Impact 13), pg 140 (Environmentally Superior Alternative),